

Remarks/Arguments

The present Amendment is filed in response to the Office Action dated July 1, 2008.

Applicants have cancelled independent Claim 1 and rewritten independent Claim 1 as new Claim 8. New Claim 8 is supported by original Claim 1 and by the Specification at page 3, lines 12-22.

Claims 1-7 stand rejected under Section 35 U.S.C. 112, second paragraph, as indefinite. Specifically the Examiner points out that it was unclear in Claim 1 whether the cavities referred to were part of the casing or the blister package. New independent Claim 8 clarifies that the cavities are a part of the blister package. It should be pointed out that it is not intended that the asymmetric-shaped blister package or its features (i.e., the cavities) be elements of new Claim 8. The mentioning of the blister package in the claim is solely intended to serve as a facile way to describe limitations on the "shape and arrange[ment]" of the "positioning means."

Various claims stand rejected under 35 U.S.C. 102(b) as being anticipated by the references US 5,150,793 to Tannenbaum, US 5,109,984 to Romick, US 5,489,025 to Romick, French patent No. 2,845,668 to Gattefosse et al., US 4,817,819 to Kelly and under 35 U.S.C. 102(e) US 6,789,677 to Maietta. New independent Claim 8 adds a feature that is not present in any of the above references. None of the above references disclose a device where the holes in the container would still line up with the holes in an asymmetrically shaped blister package having one end portion longer than the other if the blister package were turned around one-hundred eighty degrees and the opposite end was inserted into the device. All of the prior art devices would only work for symmetrical blister packages. As noted by the Applicants, their invention was to create a device compatible with asymmetrically-shaped blister packages that would still work if the package were inserted reversed (see Specification at page 2, line 22 to page 3, line 5). In view of the above, Applicants respectfully request reconsideration of the rejections.

Respectfully submitted,



Frank Smith
Attorney for Applicants
Reg. No. 39,375

Novartis Consumer Health, Inc.
200 Kimball Drive
Parsippany, NJ 07054-0622
(973) 503-7881
Date: